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September 8, 2000

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RECEIVED

SEP 8 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket 94-102, Ex Parte Notification

Dear Ms. Salas:

The International Association of Chiefs of Police ("IACP") has requested that I submit two copies of the attached letter which IACP delivered by fax on September 1, 2000, to Chairman Kennard, each of the other Commissioners, and to the Wireless Telecommunications Bureau.

Please contact the undersigned should the Commission have any questions.

Respectfully submitted,



Robert M. Gurs

cc: Thomas Sugrue, Esq.
Bryan Tramont, Esq.
Clint Odom, Esq.
Adam Krinsky, Esq.
Peter Tenhula, Esq.
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September 1, 2000

The Honorable William E. Kennard, Chairman
Federal Communications Commission
The Portals
445 Twelfth Street, SW
Washington, DC 20554

Dear Chairman Kennard:

We are writing on behalf of the International Association of Chiefs of Police (IACP) to express our concern that the Federal Communications Commission is currently considering granting waivers from wireless telecommunications companies that will dilute the rules related to the provision of enhanced wireless 9-1-1 services. Throughout the past two years, public safety groups have supported the FCC in ensuring the provision of timely and accurate location services for wireless callers. As these wireless callers now account for over 40 percent of the calls received by public safety agencies, the need for accurate and timely location capabilities has never been greater. The recent two cases in Virginia involving female abduction victims clearly point to the need for public safety agencies to pinpoint wireless caller location.

It is our understanding that the original waiver request now being considered by the FCC involved Ariel, a relatively small wireless carrier. While any waiver that dilutes the accuracy and implementation schedule for the provisioning of wireless 9-1-1 location services is of concern, the fact that this waiver proposal has now grown to include VoiceStream, PowerTel, and now Deutsche Telekom, indicates that the magnitude of this waiver request has grown to a substantial market. Further, it is our understanding that the waiver request originally submitted by Ariel has negligible data to support their latest choice of technology. If a waiver is granted and the carrier is unable to meet even the revised guidelines, public safety agencies will be faced with yet another series of delays while carriers go back to the drawing board to implement additional technology. As the Ariel solution is a hybrid solution, additional years of handset "churn" will be required to allow for mitigating action if their originally proposed technology solution proves to be inadequate.

A second component of the waiver request submitted by Ariel/VoiceStream/PowerTel offers a "safety net" as an interim solution. Under this "safety net" solution, Ariel indicates that wireless subscribers can be located within a 1,000-meter (3,280 ft) range. As the bulk of the Ariel/VoiceStream/PowerTel customer base is located in densely populated urban areas, this "safety net" will be of little value. Public safety responders in Washington, DC, Dallas, New York, San Francisco, or any other major metropolitan city throughout the United States will receive little, if any, benefit from this offering.

There is additional concern that the granting of waivers for Ariel / VoiceStream / PowerTel / Deutsche Telekom will open the door for waivers from other carriers who may wish to use the diluted accuracy and implementation timetable. The IACP, with a membership of over 14,000 law enforcement professionals, is gravely concerned that the waiver of the established requirements for location services will have substantial adverse impact on our ability to provide the quality of services that our citizens expect and deserve. In both the highly urban areas and rural areas represented by IACP membership, accuracy and timely implementation are extremely important. We are in regular contact with the leadership of the Association of Public Safety Communications Officials International (APCO) who have expressed their deep concerns about this matter and have indicated to us they will also be registering these concerns with you.

We urge you and the Commissioners of the Federal Communications Commission to seriously reconsider any thoughts of granting waivers to wireless carriers that will dilute the rules that the Commission and public safety worked so hard to put in place last September.

Thank you for your consideration of this request.

Respectfully,

Col. Michael D. Robinson, President
Chief Harlin R. McEwen, Chairman
IACP Communications & Technology Committee

cc: Commissioner Susan Ness
Commissioner Harold W. Furchgott-Roth
Commissioner Michael K. Powell
Commissioner Gloria Tristani
Chief Thomas J. Sugrue - Wireless Radio Bureau